

1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF WASHINGTON

3 UNITED STATES OF AMERICA,

No. 2:24-MJ-00803-SAB

4 Plaintiff,

ORDER WITHDRAWING THE
UNITED STATES' MOTION FOR
DETENTION AND SETTING
PRETRIAL CONDITIONS OF
RELEASE

5 v.

6 AUSTIN MICHAEL HAUTH,

7 Defendant.

ECF No. 5

8 On Friday, January 10, 2025, the Court conducted a hearing on the United
9 States' Motion for Detention (ECF No. 5). The Court heard this case because
10 Western District of Washington Chief Judge David G. Estudillo transferred this
11 case to the undersigned and Eastern District of Washington Chief Judge Stan
12 Bastian. ECF No. 9. Defendant was represented by Assistant Federal Defender
13 Jesse Cantor. Assistant United States Attorney Brian Wynne represented the
14 United States.

15 At the hearing, the United States asserted that it agreed with the United
16 States Probation/Pretrial Services Office's release plan, and the Court treated that
17 assertion as a withdrawal of the United States' Motion for Detention (ECF No. 5).

18 Accordingly, **IT IS ORDERED:**

19 1. The United States' Motion for Detention (**ECF No. 5**) is
20 **WITHDRAWN.**

2. Any motion to reopen the issue of detention pursuant to 18 U.S.C. § 3142(f) shall be a maximum of four-pages in length and shall succinctly state what circumstances are new, how they are established, and the requested change in conditions of release. The motion shall indicate whether opposing counsel; United States Probation/Pretrial Services; or another party with a substantial interest in the motion objects, whether a hearing is desired, and whether a supplemental pretrial services report is requested. If the moving party, after the exercise of due diligence, is unable to determine the position of any party listed above, the moving party may in the alternative document the date; time; and manner of each effort made to determine that party's position and request the Court treat the motion as expedited and submitted without argument. For any motion that includes a plan for substance abuse treatment, Defendant shall attach completed waivers of confidentiality permitting the United States Probation/Pretrial Services Office and the treatment provider to exchange without qualification, in any form and at any time, any and all information or records related to Defendant's conditions of release and supervision, and evaluation, treatment, and performance in the program. **Motions in Yakima and Spokane cases shall be heard on the following Wednesday docket, and Richland cases shall be heard on the following Thursday docket.** If the Court determines that oral argument is unnecessary on the motion, it shall be set for decision on the Court's 6:30 docket.

3. If a party desires that another court review this Order pursuant to 18 U.S.C. § 3145, that party shall immediately notify the Magistrate Judge and opposing counsel. LCrR 46(k)(1). The party shall then promptly file a motion for review before the assigned District Judge. LCrR 46(k)(3). If the case has not yet been assigned to a District Judge, or the assigned District Judge is unavailable, the motion shall be noted for hearing before the Chief District Judge. *Id.*

4. Defendant is bound over to Chief Judge Stanley A. Bastian for further proceedings.

5. Defendant shall abide by the conditions imposed in the Appearance Bond (ECF No. 13) at all times.

IT IS SO ORDERED.

DATED January 13, 2025.



A handwritten signature in blue ink that reads "Alexander C. Ekstrom".

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE